

AUSAs: Adam Sowlati, Chelsea Scism

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

YOHEIDY JOSE GONZALEZ ALMONTE,

Defendant.

24 MAG 2703

COMPLAINT

Violations of 21 U.S.C. §§ 841, 846; 18
U.S.C. § 2

COUNTY OF OFFENSE:
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

PATRICK O'LEARY, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE
(Conspiracy to Distribute Narcotics)

1. In or about July 2024, in the Southern District of New York and elsewhere, YOHEIDY JOSE GONZALEZ ALMONTE, the defendant, and others known and unknown, knowingly and intentionally combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that YOHEIDY JOSE GONZALEZ ALMONTE, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

COUNT TWO
(Possession with Intent to Distribute Narcotics)

4. On or about July 24, 2024, in the Southern District of New York and elsewhere, YOHEIDY JOSE GONZALEZ ALMONTE, the defendant, knowingly and intentionally distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and aided and abetted the same.

5. The controlled substance involved in the offense was 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A);
 Title 18, United States Code, Section 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I am a Special Agent with DEA, currently assigned to the El Dorado Task Force, which focuses on combatting drug trafficking and money laundering. I have been a Special Agent for approximately one year. I have been personally involved in this investigation. This affidavit is based on my involvement in this investigation, my conversations with other law enforcement officers and other individuals, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

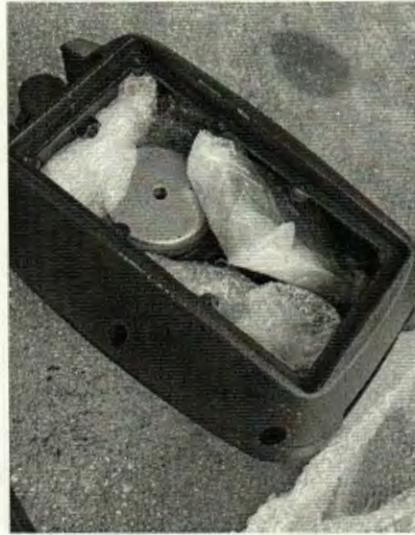
7. Based on my personal involvement in the arrest of YOHEIDY JOSE GONZALEZ ALMONTE, the defendant, and discussions with other law enforcement officers involved in that arrest, I have learned the following:

a. On or about July 24, 2024, law enforcement officers observed an individual, later identified as GONZALEZ ALMONTE, riding a motorized scooter (the "Scooter") in Washington Heights. GONZALEZ ALMONTE drove the Scooter to a gas station and parked. After determining that the Scooter had an expired registration, law enforcement officers approached GONZALEZ ALMONTE, who was standing next to the Scooter. Lying on the footboard of the Scooter was a box (the "Speaker Box"), which is pictured below:



b. Law enforcement officers asked GONZALEZ ALMONTE for consent to search the Speaker Box, which he provided. Inside the Speaker Box was an audio speaker (the "Speaker"). Law enforcement officers removed the back panel of the Speaker and found two objects (the "Suspected Narcotics"), which were shaped like rectangular bricks and wrapped in clear plastic. Based on my training and experience, I know that narcotics traffickers will frequently compress powdered narcotics into the shape of bricks and conceal those bricks in household objects to evade detection by law enforcement. The Speaker, with the back panel removed, is

pictured below on the left; the Suspected Narcotics, removed from the Speaker, are pictured below on the right:



c. Law enforcement officers then placed GONZALEZ ALMONTE under arrest. A field test was later performed on the Suspected Narcotics, which were positive for the presence of fentanyl. In total, the weight of the Suspected Narcotics, including the plastic wrapping, was approximately 1.2 kilograms.

d. GONZALEZ ALMONTE was then taken to a police station for processing. After being *Mirandized*, GONZALEZ ALMONTE gave law enforcement officers consent to search his phone (the “Phone”), which had been recovered from the defendant’s pocket incident to his arrest.

8. Based on my review of the contents of the Phone and discussions with other law enforcement officers, I have learned, among other things, the following:

a. The Phone contained numerous “selfie” photographs of YOHEIDY JOSE GONZALEZ ALMONTE, the defendant, indicating that GONZALEZ ALMONTE is the user of the Phone.

b. On or about October 30, 2023, the user of the Phone recorded a video (the “October 30 Video”) of bags filled with round, pale blue pills, which are consistent with, what I know to be from my training and experience, counterfeit Oxycodone known as “M-30s.” Based

on my training and experience, I additionally know that narcotics traffickers typically produce counterfeit Oxycodone using fentanyl. A still image from the October 30 Video is below:



c. On or about June 14, 2024, GONZALEZ ALMONTE recorded a video (the "June 14 Video") of a person (whose face is not visible) opening a United States Postal Service package. Inside the package was a clear container that enclosed what appears to be, in my training and experience, a brick of narcotics wrapped in green plastic. During his post-*Miranda* interview, GONZALEZ ALMONTE acknowledged to law enforcement officers that he had been receiving packages at his girlfriend's house for someone named "Rober." A law enforcement officer then showed the June 14 Video to GONZALEZ ALMONTE, and asked him, in sum and substance, "did you receive this kilo at your girlfriend's house?" GONZALEZ ALMONTE responded, in sum and substance, "yes," but denied knowing whether or not the green brick contained narcotics. A still image from the June 14 Video is below:



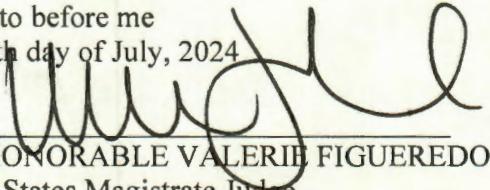
d. On or about July 24, 2024, approximately 20 minutes before his arrest, GONZALEZ ALMONTE recorded a video of a person (whose face is not visible) removing what appears to be the Speaker from what appears to be the Speaker Box, and then putting the Speaker back into the Speaker Box. GONZALEZ ALMONTE then sent the July 24 Video by secured messaging application to someone saved in his phone as "Rober."

WHEREFORE, I respectfully request that YOHEIDY JOSE GONZALEZ ALMONTE, the defendant, be imprisoned or bailed, as the case may be.



PATRICK O'LEARY
Special Agent
Drug Enforcement Administration

Sworn to before me
this 25th day of July, 2024



THE HONORABLE VALERIE FIGUEREDO
United States Magistrate Judge
Southern District of New York